

MINUTES OF MEETING OF THE COMMISSION OF FINE ARTS
HELD IN WASHINGTON? D. C., DECEMBER 14, 1940.

The fourth meeting of the Commission of Fine Arts during the fiscal year 1941 was held in its office in the Interior Department Building on Saturday, December 14, 1940. The following members were present:

Mr. Clarke, Chairman,
Mr. Savage,
Mr. Manship,
Mr. Bruce,
Dr. Cret,
Mr. Holabird,
also H. P. Caemmerer,

Secretary and Administrative Officer.

There was also present by invitation Mr. C. L. Borie.

The meeting was called to order at 9:30 a. m.

1. APPROVAL OF MINUTES OF PRECEDING MEETING; The Minutes of the meeting held November 8, 1940, were approved.

2. SHIPSTEAD-LUCE ACT SUBMISSIONS;

a. The secretary presented a set of contract drawings received from Shapiro, Inc., for an apartment building at Summit Place and Adams Mill Road, Northwest, on the east side of the National Zoological Park. In design it was similar to an apartment building at 20th and F Streets, N. W., that had been approved by the Commission about a year ago.

The secretary reported that since the meeting of the Commission in November, Mr. Shapiro had expressed the desire to erect an apartment similar to the 20th and F Streets building and that the matter was brought to the attention of the Chairman and Mr. Lamb, who advised that this would be agreeable provided Mr. Shapiro submitted a set of contract drawings.

The drawings were then inspected by Dr. Cret, Mr. Holabird and Mr. Borie, who recommended that the drawings be approved subject to a restudy of the

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Mr. Clarke, Chairman
Mr. Savage
Mr. Mumford
Mr. Bruce
Mr. Cret
Mr. Holabird
Miss E. P. Gammeter

Secretary and Administrative Officer.

There was also present by invitation Mr. C. L. Bortle.

The meeting was called to order at 2:30 p. m.

1. APPROVAL OF MINUTES OF PRECEDING MEETING: The Minutes of the meeting

held November 8, 1940, were approved.

2. SHIPBOARD-LIFE ART SUBMISSIONS:

The secretary presented a set of contract drawings received from the Shipboard-Life Art Inc., for an apartment building at Summit Place and Adams Mill Road, Northampton, on the east side of the National Zoological Park. In design it was similar to an apartment building at 20th and F Streets, N. W., that had been approved by the Commission about a year ago.

The secretary reported that since the meeting of the Commission in November, Mr. Shapiro had expressed the desire to erect an apartment similar to the 20th and F Street building and that the matter was brought to the attention of the Chairman and Mr. Lamb, who advised that this would be agreed to. Mr. Shapiro submitted a set of contract drawings.

The drawings were then inspected by Mr. Cret, Mr. Holabird and Mr. Bortle. It was recommended that the drawings be approved subject to a report of the

entrance and the removal of the angle at the entrance so that it would be symmetrical. Dr. Cret indicated on the plan how this should be done. A question was asked as to the material to be used and the secretary reported that Mr. Shapiro proposes using light gray brick for the greater part of the exterior walls and darker brick for the spandrels. Samples of the brick were presented and considered to be satisfactory by the Commission.

The Commission approved the plans accordingly with the understanding that Mr. Shapiro must submit revised drawings showing the changes recommended as above stated and with the request also that the name of the architect appear on the drawings. The secretary was requested to inform Mr. Shapiro of this action and this was done. (Exhibit A) (The revised design was sent to Dr. Cret, who approved it and accordingly it was approved by the Chairman in behalf of the Commission. (Exhibit A-1))

The Commission discussed the question of a registration law for architects in the District of Columbia. The secretary stated that at the present time designers may practise architecture in the District of Columbia, provided they do not show the title Architect under their signature on the drawing. There is a registration law for architects in the District and a Board of Examiners appointed by the District Commissioners, but under present conditions architects may be either registered or non-registered.

Mr. Clarke stated that the New York State Registration Law for architects is a good one as are also the Pennsylvania and Illinois laws on the subject and certainly the National Capital should have one equally as good.

The Commission decided that a letter be written by the Chairman to the Washington Chapter of the American Institute of Architects calling attention

entrance and the removal of the angle at the entrance so that it would be symmetrical. Mr. Crut indicated on the plan how this should be done. A question was asked as to the material to be used and the secretary reported that Mr. Shapiro proposed using light gray brick for the greater part of the exterior walls and darker brick for the spandrels. Samples of the brick were presented and considered to be satisfactory by the Commission.

The Commission approved the plans accordingly with the understanding that Mr. Shapiro must submit revised drawings showing the changes recommended as above stated and with the request also that the name of the architect appear on the drawings. The secretary was requested to inform Mr. Shapiro of this action and this was done. (Exhibit A) (The revised design was sent to Mr. Crut, who approved it and accordingly it was approved by the Chairman in behalf of the Commission. (Exhibit A-1))

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The Commission decided that a letter be written by the Chairman to the Washington Chapter of the American Institute of Architects calling attention

to the situation prevailing in the District of Columbia; that there are builders who employ persons to design structures and that some of these persons are not registered architects and that the Commission of Fine Arts believes that there should be a registration law for architects in the District of Columbia comparable to those of New York, Pennsylvania and Illinois. A copy of the letter is to be sent to the President of the American Institute of Architects.

A draft of the letter was sent to the architect members of the Commission for consideration and comment. (Exhibit B)

b. Side yards for Residences:

The secretary reported that Mr. Lamb wished to discuss with the Commission the question of recommending a change in the District of Columbia Zoning Law under which individual residences would be built further apart than is now required. The secretary reported that under the present Zoning Law a five-foot side yard is required as a minimum for detached houses (A restricted area), or two inches for each foot of length, or height, of the house. Because Mr. Lamb was absent, the matter was deferred until the next meeting of the Commission.

3. WHARF NEAR WASHINGTON NATIONAL AIRPORT: The following communication was received from the District Engineer, U. S. A., regarding a wharf to be built near the Washington National Airport:

December 4, 1940.

Permit to construct wharf in the Potomac River,
Fine Arts Commission,
Department of the Interior, Washington, D. C.

1. An application has been received from the Gulf Oil Corporation, Philadelphia, Pennsylvania, for a permit to construct a wharf in the Potomac River near the Washington National Airport, in accordance with the inclosed print.

2. You are requested to state if you have any objections to the proposed construction from a navigation or other standpoint.

3. If no reply is received by December 16, 1940, it will be considered that you have no comments or objections to offer.

W. J. Barden, Colonel U.S.A., Retired,

to the situation prevailing in the District of Columbia; that there are individuals who employ persons to design structures and that some of these persons are not registered architects and that the Commission of Fine Arts believes that there should be a registration law for architects in the District of Columbia comparable to those of New York, Pennsylvania and Illinois. A copy of the letter is to be sent to the President of the American Institute of Architects.

A draft of the letter was sent to the architect members of the Commission for consideration and comment. (Exhibit B)

D. Side yards for residences:

The secretary reported that Mr. Lamp wished to discuss with the Commission the question of recommending a change in the District of Columbia zoning law under which individual residences would be built further apart than is now required. The secretary reported that under the present zoning law a five-foot side yard is required as a minimum for detached houses (A restricted area), or two inches for each foot of length, or height, of the house. Because Mr. Lamp was absent, the matter was deferred until the next meeting of the Commission.

E. WHAT NEAR WASHINGTON NATIONAL AIRPORT: The following communication was received from the District Engineer, U. S. A., regarding a wharf to be built near the Washington National Airport:

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Permit to construct wharf in the Potomac River,
Fine Arts Commission,
Department of the Interior, Washington, D. C.

1. An application has been received from the Gulf Oil Corporation, Philadelphia, Pennsylvania, for a permit to construct a wharf in the Potomac River near the Washington National Airport, in accordance with the enclosed print.
2. You are requested to state if you have any objections to the proposed construction from a navigation or other standpoint.
3. If no reply is received by December 18, 1940, it will be considered that you have no comments or objections to offer.

W. J. Nathan, Colonel U. S. A., Retired,

The Commission discussed the subject. The secretary stated that the Civil Aeronautics Authority was in favor of the wharf since it would give needed facilities for the Airport and also the Oil Company had agreed to pay \$150,000 a year for the concession.

Attention was called to the fact that the wharf would be very near to the Mount Vernon Highway, and Mr. Gillen, Acting Superintendent of National Capital Parks, objected to its construction on Government property, in which objection the Commission concurred.

Mr. Holabird said the practical need of an oil wharf ought to be recognized but if the wharf is to be seen from the Mount Vernon Highway it should be a good job.

The Commission decided they would not object to the construction of the proposed wharf, provided a proper design for it is received and also a design for the treatment of the entire area to be taken over by the Oil Company, including the location of oil tanks; and further that the oil company does not encroach on property under the jurisdiction of the National Park Service. Colonel Barden was informed accordingly. (Exhibit C)

4. DESIGN FOR PUMPING STATION, ROCK CREEK PARKWAY; Mr. Donald Kline, landscape architect of the National Park Service, resubmitted the design for a new pumping station in the Rock Creek Parkway, to show the Commission that the changes suggested at the November meeting had been incorporated. The Commission noted these changes and considered the design to be satisfactory.

5. ARLINGTON MEMORIAL BRIDGE STATUARY; The Chairman asked Mr. Gillen whether he had some information for the Commission concerning this statuary.

Mr. Gillen reported, "We have drafted a contract that I think Mr. Fraser will be satisfied with. Mr. Friedlander said the price for enlarging the groups made by him remains the same, \$54,000. We are going to make a contract

with Mr. Fraser right away. The idea is to let the control for all the work for his two groups be placed in his hands. He can get a better price than the Government. I got a clearance all along the line from our attorneys. I am going to tell Mr. Friedlander we have a contract with Mr. Fraser and if he does not feel willing to proceed to have his groups enlarged and cast under the same terms as Mr. Fraser's, we will proceed with the work and cancel all negotiations and contracts with Friedlander. Our attorneys say he has been paid in full."

Mr. Clarke said that it is exceedingly unfortunate that Mr. Friedlander takes that attitude, but when he sees Fraser making this contract he will perhaps be willing to do the same. Mr. Holabird asked if it is a fair contract. Mr. Manship said: "Mr. Fraser seems to think it is all right and if he thinks it is all right I would say it is. If he could have the whole thing in control very naturally he would be able to get the castings made cheaper because the Government has to write specifications, ask for competitive bids, etc.; but he has a good enlarging machine so that he can do this work up in his studio where he has plenty of room and have the plaster cast made, let the contracts and deliver the statues at the site; he says he can get the work done at a reasonable price and come out all right. If it is reasonable, therefore, to Fraser it ought to be reasonable to Friedlander."

Mr. Clarke said: "I think it would be wise for us not to make any formal suggestions until Mr. Friedlander definitely turns down the contract."

Mr. Manship asked if the contract calls for gilding the groups. "You don't want big, black bronze groups and there ought to be provision made for gilding." Mr. Gillen replied that Mr. Fraser brought down samples of doors that he had designed and cast ten or twelve years ago, which had survived New England storms

and then salt water and mud and this bronze satisfies him perfectly if we get that composition and finish; the Gorham Company agrees to furnish such bronze." Mr. Manship felt that the statues should be gilded, adding the information that the gilding lasts about twenty-five years. Dr. Cret said that on statuary gilding lasts 30-40 years and on buildings 50 years. The dome of the Invalides Church was regilded in 1898 and again in 1937, that is, an interval of 39 years. Since there are no fumes, soot, and smoke, gilding ought to last a little longer in Washington."

Mr. Clarke said there is not enough money available at present for gilding, but arrangements might be made later on for having it done. "I think it is very satisfactory you can get a contract like that with Fraser. Is there any time limit?" Mr. Gillen replied: "Fraser specified his own time--two years for enlarging and one year for casting and he is very grateful for the three-year period."

Mr. Gillen asked for any criticisms on the rough draft of the contract. Mr. Manship read it and felt it was satisfactory.

Mr. Gillen said he would negotiate further with Mr. Friedlander and inform the Commission when the contract is completed with Mr. Fraser.

6. PAN AMERICAN ANNEX: Mr. Clarke reported that since the meeting of the Commission on November 8th, he had heard from Dr. Rowe, Director General of the Pan American Union, that his Board had agreed to recommend, with the understanding that all the Government agencies concerned will adopt the design, the adoption of Scheme M (slightly changed) that had been considered and adopted by the Commission of Fine Arts at the November meeting. As matters stand, it seems the District Commissioners' office is the only agency of the Government objecting to it since it involves closing one block of Virginia Avenue, and an

expense of about \$75,000 to the District Government. Dr. Rowe reported that he hoped the special committee appointed by the President on the Pan American Annex, of which Secretary of the Interior Ickes is chairman, would hold a meeting sometime soon to act on the design.

7. INSPECTION OF EAGLE, SOCIAL SECURITY BUILDING; The Commission went to the Social Security Building and inspected a photographic enlargement of an eagle by Heinz Warneke, sculptor, for the Independence Avenue side of the building. The Commission felt the eagle should be mounted on a plinth, one foot or eighteen inches high, so that the feet of the eagle will not appear to rest on the building itself. The height of the eagle, 8 feet 9 inches, was considered to be appropriate; the former height of 16 feet heretofore approved, was thought to be out of scale, and in the circumstances the Commission decided hereafter to request that full-sized photographic enlargements of sculptured models be set in place before authority is given for execution of the sculpture.

The eagle appeared too naturalistic, and the Commission recommended that it be stylized, emphasizing the vertical lines and thus harmonizing it with the rather severe character of the building. The Commission felt it should resemble an architectural eagle, similar to the old Egyptian eagles.

The Commission were informed by Mr. Louis Simon, Supervising Architect, that the sculptor will present a small scale model embodying the above suggestions. Several of the members of the Commission felt that the eagles on the Independence Avenue side of the building might be omitted. In the meantime, the Commission suggested that all other sculpture proposed for the Independence Avenue side of the building be held in abeyance. A letter was sent to Mr. Simon accordingly. (Exhibit D)

8. OSCAR S. STRAUS MEMORIAL FOUNTAIN: The Commission inspected the Oscar S. Straus Memorial Fountain, which has just been erected in the Great Plaza adjacent to 14th Street. The Commission were in conference with Mr. Allen, representing the firm of Eggers and Higgins, architects of the memorial, and with a representative of the George A. Fuller Company, contractors, and also with Mr. Louis Simon, Supervising Architect. The Commission noted that the memorial had been erected in accordance with a design approved by the Commission of Fine Arts. Deer Island gray granite was used for the memorial. The Commission saw the fountain in operation. It is not entirely complete, since Mr. Weinman is at work on models for the statuary to be erected later, and only the architecture of the memorial has thus far been completed.

It was agreed that the fountain should be placed in the custody of the Public Buildings Administration, Federal Works Agency. The Commission also decided that no planting should be put in to surround the memorial, as such planting would only delay the development of the rest of the Great Plaza, which is now being used for an open-air garage. A report of approval was sent to Mr. David Hinshaw, Secretary of the Oscar S. Straus Memorial Association.

(Exhibit E)

9. PAINTINGS FOR THE DEPARTMENT OF JUSTICE BUILDING BY MAURICE STERNE: Mr. Bruce had requested that the Commission inspect a series of paintings by Maurice Sterne for the library in the Department of Justice Building. The Commission accordingly called at the Department of Justice for the inspection. The paintings had been tentatively approved at a meeting of the Commission held May 28, 1936.

Mr. Bruce had placed the paintings around the walls of the auditorium on the second floor of the building and submitted an explanation describing the theme of each painting.

Mr. Bruce said that Mr. Sterne had devoted five years to the work of completing these paintings. There had been delay in putting them in place due to the fact that objection was made to one painting said to represent the Spanish Inquisition but which was mislabeled and was intended to signify Trial by Ordeal. The whole series is intended to illustrate "Man's Struggle for Justice".

The paintings were brought to the particular attention of Mr. Savage, who inspected them and submitted a report, as follows:

"The completed paintings by Mr. Maurice Sterne for the library in the Department of Justice Building were reviewed by the Commission of Fine Arts on December 14th. These paintings had been approved in principle previously.

"One of the paintings entitled 'Trial by Ordeal' as at first described in the subject matter and possibly to some extent suggested in the first sketch stage has been the subject of some controversy.

The description at that time indicated figures suffering tortures under the 'Ordeal' and mentioned other figures having something of an ecclesiastical character 'taking a sadistic delight' in the suffering.

"This circumstance had been called to the attention of the Commission by Mr. Edward Bruce, Chief of the Section of Fine Arts, Public Buildings Administration, and others. It therefore received special attention.

"The studies as of that date were not available and the question as to what extent the conclusions that caused the exception to be taken might be warranted became academic in considering the completed painting upon which we report as follows:

"In the painting in question a figure is represented as having succumbed under the Trial by Ordeal and is surrounded by sympathetic associates. Another important figure carrying red hot irons has fallen at the feet of the Pope, who in vestments, mitre and with a shepherd's staff and a kindly expression serenely extends an authoritative hand in a gesture to restrain and end the practise of trial by ordeal represented in the scene before him. The inscription of the painting now reads: 'Trial by Ordeal, ever opposed by Christianity, was prohibited by the Council of the Lateran in 1215.'

"In the opinion of the Commission the picture and title now impress one as being an unqualified tribute to Christianity and to the Catholic Church.

"The entire series of paintings are richly diversified in symbolism, beautifully imaginative and in other ways distinguished. They are hereby approved."

Also the other members of the Commission inspected the paintings and approved the series in accordance with the report by Mr. Savage. A report of approval was sent to Mr. Bruce. (Exhibit F)

10. FREER GALLERY OF ART: The following objects of art were presented by Mr. John E. Lodge, Curator of the Freer Gallery of Art, for inspection by the Commission:

- 1 Jade blade, Chinese
- 1 Implement; jade, bronze and turquoise. Chinese, Shang dynasty.
- 1 Weapon; jade, bronze and turquoise. Chinese, Shang dynasty.
- 1 Garment hook; gilt-bronze and turquoise. Chinese, Han dynasty.

The Commission approved these objects of art for purchase for the Freer Gallery of Art. (Exhibit G)

11. CHINA SERVICE MEDAL: The following letter was received from the Navy Department, submitting design No. 22 for the obverse of the China Service Medal:

December 14, 1940.

Dear Sir:

At its meeting in September of this year the Navy Department Board of Awards considered a number of designs submitted for use on a new China Service Medal.

Subject to certain changes, the Board recommended design 19 (a) as most appropriate. This design was submitted to the Commission of Fine Arts, which in turn approved design No. 19 (a) subject to certain additional changes. The effect of the various changes recommended was to leave nothing but the figure of the ship in the design as originally submitted.

Subsequent to receipt of the Commission's approval, an objection to the design of the ship employed in design No. 19 (a) was made, based on the fact that the type of ship depicted has not been present on the China station in recent years, whereas the medal is to commemorate actions subsequent to 1934.

In view of the foregoing objection and the numerous changes made necessary in design No. 19 (a) by the original recommendation of the Board of Awards and the action of the Commission, all of the designs originally received for the China Service Medal were resubmitted to the Board of Awards with a request that they be reconsidered.

At its meeting held December 6, 1940, the Board of Awards reconsidered anonymously all of the designs originally submitted for this medal and has recommended adoption of design No. 22, subject to one change: viz., substitution of a plain rim for the fluted rim to bring it into conformity with all other Navy service medals.

Design No. 22 is forwarded herewith by messenger. If approved by the Commission, this design will be adopted for use on the obverse side of the new China Service Medal. The reverse of the medal will be the standard design used on the reverse of all Navy service medals.

The author of design No. 22 will not be known until final approval has been made.

Sincerely yours,

Chairman,
Commission of Fine Arts,
Washington, D. C.

James Forrestal,
Acting Secretary of the Navy.

The design was inspected during luncheon at the Metropolitan Club and was given particular attention by Mr. Manship. The Commission discussed the design and approved it with the suggestion that the word China at the left of the pagoda be raised and that a Chinese symbol or character be used under the word China and over the word Service at the right of the pagoda. Chinese characters signifying the words China and Service were suggested as indicated on a sketch made by Dr. Cret. This would help to fill up the vacant spaces on the obverse of the medal. It was also suggested that the medal should show the year to be commemorated for service in China, and that a model of the design be submitted. A report was sent to Acting Secretary of the Navy Forrestal. (Exhibit H)

12. NATIONAL GALLERY OF ART: The Commission were the guests of the Trustees of the National Gallery of Art at the Metropolitan Club for luncheon. Representing the Trustees there were present Mr. Donald Shepard, Counselor for the A. W. Mellon Educational and Charitable Trust; Mr. Harry A. McBride, Administrator in Charge of Personnel; Mr. David E. Finley, Director, and Mr. Macgill James, Assistant Director, National Gallery of Art.

About 2:30 the Commission went to the National Gallery of Art and were shown through the building by Mr. Finley. Mr. Finley stated that the offices had just been moved into the building on the ground floor and arrangements would be made to hang the pictures soon after January 1st. Mr. Finley pointed out that the rotunda, which is 100 feet in diameter, was considered to be functional, since it would enable them to distribute large crowds of visitors through the building. Mr. Finley then showed the Commission the various individual galleries for the different schools of painting, particularly the Italian, French, Flemish, English and American, as well as locations for a number of pieces of notable sculpture. The Gallery will exhibit the notable paintings given by Mr. Mellon and also paintings from the Samuel Kress and the Widener collections recently given to the National Gallery of Art. All the paintings and sculpture have been uniformly assigned throughout the main floor of the building. The length of the Gallery is 785 feet. Special provision has been made for artificial lighting of the interior. The interior finish is in Tennessee marble and Alabama limestone, and also Italian and French marbles.

The basement is devoted to office space, a library, print division, auditorium, and cafeteria, as well as work shops. Mr. McBride said that the personnel will number 220 persons, including guards and cleaners. There will be a guard for each two rooms.

Mr. Finley said that the Board of Trustees is arranging to have the Gallery opened to the public sometime during March, 1941.

The Commission were highly pleased with the fine quality of workmanship, and congratulated the Trustees on the completion of the Gallery in a letter of appreciation sent by the Chairman to Mr. Shepard. (Exhibit I; see also I-1)

The Commission adjourned at 3:45 p. m.

C O P Y

December 16, 1940.

Dear Mr. Shapiro:

The Commission of Fine Arts, at their meeting on December 14, 1940, approved the design you submitted for an apartment building at Summit Place and Adams Mill Road, subject to a restudy of the entrance and resubmission of such revised study before going ahead with the project.

The Commission likewise recommend taking out the angle or jog shown in the design (floor plan basement No. 1), and making the design symmetrical as indicated on that drawing. Also the Commission desire that the name of the architect appear on the drawings.

For the Commission of Fine Arts:

Sincerely yours,

(Signed) H. P. Caemmerer,

Secretary.

Mr. J. B. Shapiro,
Shapiro Inc.,
1341 Connecticut Avenue,
Washington, D. C.

EXHIBIT A

C O P Y

December 23, 1940.

Dear Mr. Shapiro:

The revised design for the entrance of your proposed apartment building at Summit Place and Adams Mill Road has received the particular attention of Dr. Paul P. Cret, architect, member of the Commission of Fine Arts, and he approves it.

Accordingly, the Commission of Fine Arts approve the design for the building.

Sincerely yours,

(Signed) Gilmore D. Clarke,

Chairman.

Mr. J. P. Shapiro,
Shapiro Incorporated,
1341 Connecticut Avenue,
Washington, D. C.

EXHIBIT A-1

THE COMMISSION OF FINE ARTS
Washington

DRAFT OF LETTER

December 20, 1940.

Dear Mr. Chatelain:

The Commission of Fine Arts wish to bring to the attention of the Washington Chapter of the American Institute of Architects certain anomalous conditions that prevail in the National Capital in the practice of the profession of architecture, of such a serious nature as would seem to require amendments to the existing law pertaining to the registration of architects (43 Stat. p. 713, approved December 13, 1924).

The Commission have noted that under the law both registered and non-registered architects may practice architecture in the District of Columbia. Such a condition would not be allowed in other leading professions as medicine, dentistry, pharmacy or the legal profession.

Due to the laxity of the law in the instance above mentioned several evil practices have crept in: on the one hand a person is allowed to submit plans to the office of the Inspector of Buildings in the District of Columbia as a "designer", and in the case of construction companies a draftsman may make plans for buildings and submit them in the name of the construction company to the Building Inspector. This the Commission believe is an injustice to the profession of architecture in the National Capital, where the registration law for architects should be as good as that of such States as New York, Pennsylvania, and Illinois.

The Commission of Fine Arts have to deal with plans for private buildings, through what is known as the Shipstead-Luce Act, enacted by Congress and approved May 16, 1930. Since the adoption of the law ten years ago there have been nearly one thousand submissions by the Inspector of Buildings of the District of Columbia, who is required to submit to the Commission of Fine Arts plans for private buildings in the area prescribed by the Act. The Act has resulted in benefits both to the Government and to private enterprise, since it prevents the erection of unsightly structures along areas prescribed and frequently requires builders to adopt improved designs and at times better grades of building materials.

The Commission of Fine Arts will be pleased to cooperate with the Washington Chapter of the American Institute of Architects in this matter. If it is decided to take favorable action therein, the Commission believe the Board of Examiners for the Registration of Architects in the District of Columbia will cooperate likewise.

For the Commission of Fine Arts:

Mr. Leon Chatelain, President,
Washington Chapter of the
American Institute of Architects,
Washington, D. C.

Very respectfully yours,
Gilmore D. Clarke,
Chairman.

C O P Y

December 16, 1940.

Dear Colonel Barden:

The Commission of Fine Arts, at their meeting on December 14, 1940, considered your communication of December 4th, advising that the Gulf Oil Corporation, of Philadelphia, Pennsylvania, is asking for a permit to construct a wharf in the Potomac River near the Washington National Airport, in accordance with a print enclosed.

The Commission consider the sketch to be entirely inadequate, and hesitate to express an opinion until proper drawings are received.

However, it may be stated that the Commission of Fine Arts do not object to the construction of the wharf, provided it is well designed by a competent architect and the submission of a plan showing facilities to be constructed on shore such as oil tanks; provided further that the project will not encroach on land belonging to the United States Government, especially that adjacent to the Mount Vernon Highway, and that it will be properly screened by suitable landscape treatment.

For the Commission of Fine Arts:

Respectfully yours,
(Signed) Gilmore D. Clarke,
Chairman.

Col. W. J. Barden,
U. S. A., retired,
District Engineer,
War Department,
Washington, D. C.

EXHIBIT C

C O P Y

December 20, 1940.

Dear Mr. Simon:

The Commission of Fine Arts, at their meeting on December 14, 1940, inspected an enlarged photographic model (8 feet 9 inches high) of one of two sculptured eagles proposed for the Independence Avenue side of the Social Security Building.

So far as size is concerned, the Commission felt that an eagle 8 feet 9 inches high is tall enough but that it should be mounted on a plinth, one foot or eighteen inches high, so that the feet of the eagle will not appear to rest on the building itself.

The eagle seemed to the Commission too naturalistic; that it would be better if stylized, emphasizing the vertical lines and thus harmonize with the rather severe lines of the building.

The Commission understand that the sculptor will present a model embodying the above suggestions.

Pending further consideration of the matter referred to above, the Commission urged that the execution of other sculptural treatment on the facade of the Social Security Building be held up until the problem as a whole can be given attention, including the suggested decoration over the main entrance on Independence Avenue, the design for which has not yet been determined. For the Commission of Fine Arts:

Hon. Louis Simon,
Supervising Architect,
Federal Works Agency,
Washington, D. C.

Sincerely yours,
(Signed) Gilmore D. Clarke,
Chairman.

EXHIBIT D

C O P Y

December 14, 1940.

Dear Mr. Hinshaw:

The Commission of Fine Arts, at their meeting today, were pleased to inspect the Oscar S. Straus Memorial Fountain in the Great Plaza, opposite the Department of Commerce Building, on Fourteenth Street. The fountain indicated good workmanship. The Commission understand that models for the sculpture are now being made by Mr. A. A. Weinman.

The Commission would like to see a drawing of the inscription proposed for the memorial.

The Commission recommend that the planting heretofore considered to screen the parking lot be held in abeyance. If this is done, it is believed that it will expedite the carrying out of plans for the rest of the Great Plaza.

Mr. Louis Simon, Supervising Architect, Federal Works Agency, was present during the inspection of the fountain, and through him arrangements have been made whereby the Federal Works Agency will become custodian of the fountain.

For the Commission of Fine Arts:

Sincerely yours,
(Signed) Gilmore D. Clarke,
Chairman.

Mr. David Hinshaw, Secretary,
Oscar S. Straus Memorial Association,
120 Broadway,
New York, N. Y.

EXHIBIT E

December 19, 1940.

Dear Mr. Bruce:

The Commission of Fine Arts at their meeting on December 14, 1940, were pleased to inspect the series of paintings by Maurice Sterne entitled "Man's Struggle for Justice" for the library in the Department of Justice Building. The paintings were brought to the particular attention of Mr. Eugene F. Savage, painter and member of the Commission of Fine Arts, who reports as follows:

The completed paintings by Mr. Maurice Sterne for the library in the Department of Justice Building were reviewed by the Commission of Fine Arts on December 14th. These paintings had been approved in principle previously.

One of the paintings entitled "Trial by Ordeal" as at first described in the subject matter and possibly to some extent suggested in the first sketch stage has been the subject of some controversy. The description at that time indicated figures suffering tortures under the "Ordeal" and mentioned other figures having something of an ecclesiastical character "taking a sadistic delight" in the suffering.

This circumstance had been called to the attention of the Commission by Mr. Edward Bruce, Chief of the Section of Fine Arts, Public Buildings Administration, and others. It therefore received special attention.

The studies as of that date were not available and the question as to what extent the conclusions that caused the exception to be taken might be warranted became academic in considering the completed painting upon which we report as follows:

In the painting in question a figure is represented as having succumbed under the Trial by Ordeal and is surrounded by sympathetic associates. Another important figure carrying red hot irons has fallen at the feet of the Pope, who in vestments, mitre and with a shepherd's staff and a kindly expression serenely extends an authoritative hand in a gesture to restrain and end the practise of trial by ordeal represented in the scene before him. The inscription of the painting now reads: "Trial by Ordeal, ever opposed by Christianity, was prohibited by the Council of the Lateran in 1215."

1. Einleitung

2. Zielsetzung

Die vorliegende Arbeit hat zum Ziel, die Bedeutung der...

Im ersten Teil wird die...

Im zweiten Teil wird...

Im dritten Teil wird...

Im vierten Teil wird...

Im fünften Teil wird...

11

In the opinion of the Commission the picture and title now impress one as being an unqualified tribute to Christianity and to the Catholic Church.

The entire series of paintings are richly diversified in symbolism, beautifully imaginative and in other ways distinguished. They are hereby approved.

The Commission of Fine Arts heartily concur in this report by Mr. Savage and approve the paintings. The Commission suggest that arrangements be made to install the paintings as soon as possible.

The Commission had the pleasure of the company of Mr. C. L. Borie, one of the architects of the Department of Justice Building, during the inspection and he is also pleased that these paintings are now completed. This series of paintings was approved in principle on May 28, 1936, while Mr. Borie was a member of the Commission.

A brief description of the paintings is attached hereto and is made a part of this report.

For the Commission of Fine Arts:

Sincerely yours,

(Signed) Gilmore D. Clarke,

Chairman.

Mr. Edward Bruce,
Chief, Section of Fine Arts,
Public Buildings Administration,
Federal Works Agency,
Washington, D. C.

MAN'S STRUGGLE FOR JUSTICE: General Title of the 20 mural panels by Maurice Sterne, which have been executed for installation in the Library of the Justice Department Building, Washington, D. C.

The mural scheme begins with the panel at the South end of the West wall. It follows the West wall to the North wall thence across the North wall and back by the East wall to the South wall.

The descriptive titles of the various panels, seen in the order described above, are:

- (a) BRUTE FORCE
The most primitive way of settling disputes in which superior strength replaced Justice.
- (b) GREED
A group fighting over and casting dice for the garments of Christ at the feet of the Cross, oblivious of the drama which is taking place above.
- (c) ORDEAL
Trial by ordeal, ever opposed by Christianity, was prohibited by the Council of the Lateran in 1215.
- (d) JUSTICE TEMPERED BY MERCY
"He who is without sin should cast the first stone."
The panel shows a pool and figure with uplifted arms.
- (e) INTOLERANCE
Old Roman scene. Figure, collapsed over book, besmirched with tar. Man setting fire to the group. Background, a dictator surrounded by Roman soldiers.
- (f) TRADITION
A figure nursing two babes, inside of skeleton. To the left, Hammurabi, Moses and Justinian. To the right, a Roman, Medieval and Modern soldier.
- (g) SUPERSTITION
The Delphic Sybil in a trance, surrounded by attendants, Background, a sacrifice.

CONTINUITY OF THE LAW

(h) THE FUTURE

(i) THE LAW

(j) THE PAST

The Law seated over the earth, with scroll - figure to the immediate left with pair of wolves on a leash. To the right, a woman with baby and small child.

- (k) MAGIC
A magician making a paper figure of ticker tape, being followed by people entranced by playing. Gamblers in foreground.
- (l) COMPETITION
Men at each end of tug-of-war. Background, two steers fighting.
- (m) FALSE WITNESS
Man delivering an oath on the Bible; he has two faces, one a sweet, honest mask, the other hiding behind it; figure of Bribery behind the man.

- (n) JUSTICE AND SCIENCE
Central figure holding lens, which throws light on finger-print card; rays deflected on left to kidnapping; on right to criminal in barber shop being manicured.
- (o) RED TAPE
Huge spiderweb around animal's skull. Clock suggests passage of time. People caught in this net being released by Don Quixote.
- (p) AMBITION
Jacob wrestling with the angel, surrounded by people climbing up a rock, representing earthly ambition.
- (q) ENVIRONMENT
Children witnessing a hold-up. Sob sister handing flowers to criminal. A barker with "Daily Yellow Gazette" in his hands.

ATTRIBUTES TO JUSTICE

- (r) INTUITION
- (s) SCALE OF JUSTICE
- (t) REASON

The Scale of Justice coming from the earth, flanked by reapers with sowers behind, suggests the inevitability between "Cause" and "Effect".

C O P Y

The Regents of the Smithsonian Institution, The Commission of Fine Arts, and Miss Katharine N. Rhoades, as provided in Paragraph 4 of the Codicil to the Will of the late Charles L. Freer, have examined the following objects:

- 1 Jade blade, Chinese, early Chou dynasty, or earlier.
- 1 Implement; jade, bronze and turquoise, Chinese, Shang dynasty.
- 1 Weapon; jade, bronze and turquoise, Chinese, Shang dynasty.
- 1 Garment hook; gilt-bronze and turquoise. Chinese, Han dynasty.

which have been recommended for purchase for the Freer Gallery of Art by Mr. John E. Lodge, Director, and they hereby approve the purchase.

For the Regents of the Smithsonian
Institution

December 14th, 1940.

For the Commission of Fine Arts

December 3rd, 1940.

Katharine N. Rhoades

C O P Y

December 20, 1940.

Dear Sir:

The Commission of Fine Arts, at their meeting on December 14, 1940, considered your letter of that date (File P 15 (F) (1) in connection with Design No. 22, which is now proposed by the Navy Department for the China Service Medal.

The Commission approve the design, with the suggestion that the word China at the left of the pagoda be raised and that a Chinese symbol or character be used under the word China and over the word Service at the right of the pagoda, as indicated on the accompanying sketch. Chinese characters signifying the words China and Service might be used.

Mr. John E. Lodge, Curator of the Freer Gallery of Art, has shown (on the attached print) how the words China and "Military" Service would be represented. Needless to say, if the suggestion commends itself to you, an interpreter in the Navy Department could be of assistance in this matter, or an official at the Chinese Embassy.

It would seem that the medal should show the year to be commemorated for service in China.

It is understood that a model of the design will be submitted through you to the Commission of Fine Arts in due time.

For the Commission of Fine Arts:

Hon. James Forrestal,
Acting Secretary of the Navy,
Washington, D. C.

Sincerely yours,
(Signed) Gilmore D. Clarke,
Chairman.

EXHIBIT H

1912

1912

The following is a list of the names of the persons who have been elected to the office of the President of the United States since the year 1789.

George Washington, John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams, Andrew Jackson, Martin Van Buren, William Henry Harrison, John Tyler, Zachary Taylor, Franklin Pierce, James Buchanan, Abraham Lincoln, Andrew Johnson, Ulysses S. Grant, Rutherford B. Hayes, James A. Garfield, Chester A. Arthur, Grover Cleveland, Benjamin Harrison, William McKinley, Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Warren G. Harding, Calvin Coolidge, Herbert Hoover, Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, Richard M. Nixon, Gerald R. Ford, Jimmy Carter, Ronald Reagan, George H. W. Bush, Bill Clinton, George W. Bush, Barack Obama, Donald Trump.

1912

The following is a list of the names of the persons who have been elected to the office of the Vice President of the United States since the year 1789.

John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams, Andrew Jackson, Martin Van Buren, William Henry Harrison, John Tyler, Zachary Taylor, Franklin Pierce, James Buchanan, Abraham Lincoln, Andrew Johnson, Ulysses S. Grant, Rutherford B. Hayes, James A. Garfield, Chester A. Arthur, Grover Cleveland, Benjamin Harrison, William McKinley, Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Warren G. Harding, Calvin Coolidge, Herbert Hoover, Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, Richard M. Nixon, Gerald R. Ford, Jimmy Carter, Ronald Reagan, George H. W. Bush, Bill Clinton, George W. Bush, Barack Obama, Donald Trump.

1912

The following is a list of the names of the persons who have been elected to the office of the Chief Justice of the United States since the year 1789.

John Jay, John Adams, William Bradford Hu

1912

C O P Y

December 16, 1940.

My dear Mr. Shepard:

On behalf of the Commission of Fine Arts, I wish to thank the Andrew W. Mellon Education and Charitable Trust for the opportunity to inspect the National Gallery of Art on Saturday, December fourteenth.

We enjoyed luncheon before visiting the Gallery and the occasion afforded the members of the Commission to meet with you, Mr. Finley, and members of the Staff of the Gallery.

All of the members of the Commission were outspoken in praise of the building which is to house the notable art treasures collected by Messrs. Mellon, Kress, and Widener, and the other art treasures of the past which will come in due course.

The Commission of Fine Arts were particularly impressed with the fine quality of the materials used in the construction of the building and with the great skill and care exercised in the fabrication of those materials. One member of the Commission remarked "This Gallery is the most perfect example of workmanship I ever saw; the stone joints are like those in the buildings of Ancient Greece." The architects, artists, and craftsmen are to be congratulated for this superb example of the Fine Art of building, one which is outstanding among the great monuments of this country, worthy indeed as a storehouse for the great collections which will ultimately adorn the many galleries.

The National Gallery has established a high standard of excellence for buildings on the Mall and insures that future structures in this area must be of the same high standard of excellence from the standpoint of both aesthetics and construction. It is also a pleasure to mention the planting around the building, which has been accomplished in good taste and skill by the landscape architect and his assistants.

The Commission of Fine Arts is proud to extend congratulations to the successors of the late Andrew W. Mellon, whose vision made possible this great monument erected to the noblest expression of the human race, its art.

Sincerely yours,
(Signed) Gilmore D. Clarke,
Chairman.

Mr. Donald D. Shepard
Andrew W. Mellon
Education and Charitable Trust,
716 Jackson Place,
Washington, D. C.

EXHIBIT I

NATIONAL GALLERY OF ART
Washington

December 23, 1940.

Major Gilmore D. Clarke, Chairman,
The Commission of Fine Arts,
Interior Building,
Washington, D. C.

Dear Major Clarke:

Thank you for your letter of December 16th with the
copy of the letter which you have written to Mr. Shepard.

Your letter was deeply appreciated by all of us. It is
the greatest satisfaction to know that the members of the
Commission of Fine Arts like the building so much. I can assure
you that I know of no body of men whose approval I would value
more. I also enjoyed our tour together on Saturday and hope
it is the first of many visits which we will have from you in
the Gallery.

Sincerely yours,

(Signed) David Finley

Director.

EXHIBIT I-1

NATIONAL GALLERY OF ART
Washington

December 22, 1940.

Major Gilmore D. Clarke, Chairman,
The Commission of Fine Arts,
Interior Building,
Washington, D. C.

Dear Major Clarke:

Thank you for your letter of December 18th with the
copy of the letter which you have written to Mr. Shepard.
Your letter was deeply appreciated by all of us. It is
the greatest satisfaction to know that the members of the
Commission of Fine Arts like the building so much. I can assure
you that I know of no body of men whose approval I would value
more. I also enjoyed our tour together on Saturday and hope
it is the first of many visits which we will have from you in

the Gallery.

Sincerely yours,

(Signed) David H. Bailey

Director.

EXHIBIT 1-1